

BEFORE THE INVESTIGATIVE PANEL OF THE
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A
JUDGE NO.: 06-22 /

NOTICE OF FORMAL CHARGES

**TO: The Honorable Steven J. deLaroche
Volusia County Courthouse Annex
125 East Orange Avenue
Daytona Beach, FL 32144**

YOU ARE HEREBY notified that the Investigative Panel of the Florida Judicial Qualifications Commission, by a vote of not less than two-thirds of those members present at meetings held on April 21, 2006 and July 13, 2006, pursuant to Rule 6(f), Florida Judicial Qualifications Commission Rules ("FJQCR"), as revised, and Fla. Const. art. V, Section 12(b), has determined that probable cause exists for formal proceedings to be instituted against you. Probable cause exists on the following formal charges:

1. In June 2005, attorney G. Kipling Miller brought you a motion to vacate sentence and a proposed order in traffic citation 05-36DZT, issued to James W. Silvis, IV, in a case assigned to a different judge. You signed the order vacating Mr. Silvis' conviction, thereby allowed him to avoid a five year's driver's license suspension, despite your knowledge that

the case was a case assigned to a different judge (who handled such civil traffic infractions) not criminal misdemeanors. Only after the assigned judge questioned your entry of the order, did you subsequently vacate it for lack of jurisdiction. This charge is governed by the Code of Judicial Conduct, Canons 1 and 2A.

2. On or about November 30, 2005, you dismissed civil traffic citation 1817-DUJ issued to Jennifer Lopez, the daughter of a former client, after the former client contacted your office with questions about an administrative matter, at a time when this civil traffic case was assigned to another judge, and you were assigned to hear criminal traffic misdemeanors. This charge is governed by the Code of Judicial Conduct, Canons 1 and 2A.

3. On or about January 5th or 9th, 2006, you dismissed civil traffic citation 3272-DZT, which had been issued to Hugh Avant, your father in law, at a time when this civil traffic case was assigned to another county court judge, and you were assigned to hear criminal traffic misdemeanors. This charge is governed by the Code of Judicial Conduct, Canons 1 and 2A & 3E(1)(d).

4. On or about January 23, 2006, you dismissed a second civil traffic citation, 5445-DPD issued to Jennifer Lopez, the

daughter of a former client after the former client contacted your office on another administrative matter. You dismissed the case despite the fact it was assigned to another judge, it involved careless driving and a traffic accident, and there was no notice to the victim or anyone acting on her behalf. You dismissed the case to avoid financial rules imposed by the clerk because you were unable to override them. This charge is governed by the Code of Judicial Conduct, Canons 1 and 2A.

5. On or about February 14, 2006, you dismissed civil traffic citation 0836-DZP issued to William R. Alexander, Esq. at a time when you knew this civil citation was assigned to another judge, was not on your docket, was not noticed for hearing, and the relief was not requested by the litigant. This charge is governed by the Code of Judicial Conduct, Canons 1 and 2A.

6. These charges cumulatively constitute a pattern and practice of deliberate misconduct. This charge is governed by the Code of Judicial Conduct, Canons 1 and 2A.

The acts described above, if they occurred as alleged, violated the Code of Judicial Conduct, to wit, Canon 1 (upholding the integrity of the judiciary), Canon 2A (appearance of impropriety), Canon 3E(1)(d) (disqualification in a proceeding involving family member). The foregoing conduct, if

proven as alleged, constitutes conduct unbecoming a member of the judiciary, warranting discipline, including but not limited to reprimand, fine, suspension with or without pay, or lawyer discipline. It may also demonstrate present unfitness to hold judicial office, warranting your removal.

Please take notice, in accordance with the FJQC Rules, as revised, that you have twenty (20) days following service of this notice to file a written answer to these charges. The original of your response and all subsequent pleadings must be filed with the Clerk of the Florida Supreme Court, in accordance with the Court's requirements, you must simultaneously file a DOS formatted three and one-half (3½") diskette in WordPerfect 5.1 (or higher) format. Copies of your response should be served on the undersigned Special Counsel and all persons (other than your counsel) listed in the certificate of service below.

By:_____

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INTERIM GENERAL COUNSEL FOR THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the
foregoing Notice of Formal Proceedings has been furnished by
certified mail, return receipt requested this ____ day of July,
2006 to:

The Honorable Steven deLaroche
County Court Judge
Respondent
125 East Orange Avenue
Daytona Beach, FL 32144

Charles Chobee Ebbets, Esq.
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